

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

K.O. and E.O., Jr., by and through their parents and next friends, E.O. and L.J.; and C.J, by and through his father and next friend F.C.; each individually and on behalf of all others similarly situated,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 4:20-cv-12015-TSH

**PLAINTIFFS' ASSENTED-TO SECOND MOTION TO EXTEND THE
DEADLINE FOR PLAINTIFFS TO FILE THEIR OPPOSITION TO
DEFENDANTS' MOTION TO TRANSFER OR DISMISS (DOC. NO. 50)**

Plaintiffs respectfully move this Court, through this assented-to motion, for an extension of time to and including **July 15, 2022**, for Plaintiffs to file their Opposition to Defendants' Motion to Transfer this Action to the Western District of Texas, or Alternatively to Dismiss Plaintiffs' Amended Complaint (Doc. No. 50) ("Motion to Dismiss").

Plaintiffs filed their Amended Complaint on April 11, 2022 (Doc. No. 41). With Plaintiffs' assent, Defendants obtained two extensions to the deadline for filing their response to the Amended Complaint, and Defendants filed their Motion to Dismiss on May 20, 2022 (Doc. No. 50). Under Local Rule 7.1(b)(2), Plaintiffs' Opposition to the Motion to Dismiss was due on June 3, 2022. On May 24, 2022, the Court allowed Plaintiffs an additional 35 days to file their Opposition to the Motion to Dismiss to and including July 8, 2022 (Doc. No. 53).

Given the complexity of this case and the legal issues raised in Defendants' Motion to Dismiss (which was supported by a 33-page memorandum) (Doc. No. 51), Plaintiffs respectfully

request a brief extension of time to and including **July 15, 2022** to file their Opposition to the Motion to Dismiss. This is Plaintiffs' second request for an extension of this deadline.

Undersigned counsel for Plaintiffs has conferred with counsel for Defendant who assents to the relief sought in this Motion.

WHEREFORE, Plaintiffs move this Court through this assented-to motion to extend to and including **July 15, 2022**, the Deadline for Plaintiffs to file their Opposition to Defendants' Motion to Transfer this Action to the Western District of Texas, or Alternatively to Dismiss Plaintiffs' Amended Complaint (Doc. No. 50).

Respectfully submitted,

K.O. and E.O., Jr., by and through their parents and next friends, E.O. and L.J.; and C.J, by and through his father and next friend F.C.; each individually and on behalf of all others similarly situated, on behalf of themselves and all others similarly situated,

By their attorneys,

Date: July 6, 2022

/s/ Nathan P. Warecki

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), counsel for Plaintiffs conferred with counsel for the Defendant by email on July 5, 2022 and counsel for Defendant assented to the relief sought in this motion.

/s/ Nathan P. Warecki
Nathan P. Warecki

CERTIFICATE OF SERVICE

I, Joseph M. Cacace, hereby certify that this document has been filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

Date: July 6, 2022

/s/ Nathan P. Warecki
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